

**CEREALS AND CEREAL PRODUCTS****BAKERY PRODUCTS**

**21001. Adulteration and misbranding of bread. U. S. v. Bon Ton, Inc., of Billings. Plea of nolo contendere. Imposition of sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 34337. Sample Nos. 29908-L, 29911-L.)**

**INFORMATION FILED:** July 7, 1953, District of Montana, against Bon Ton, Inc., of Billings, a corporation, at Billings, Mont.

**ALLEGED SHIPMENT:** On or about May 6 and 11, 1952, from the State of Montana into the State of Washington.

**LABEL, IN PART:** "Bon Ton Sliced White Bread Enriched 1½ Lb."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect larva capsules, insect larvae, and insect fragments; and, Section 402 (a) (4), the article had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 403 (a), the label on a portion of the article was false and misleading. The label represented and suggested that ½ pound of the article would provide at least the following amounts and percentages of the minimum daily requirements of essential food substances, namely, thiamine (vitamin B<sub>1</sub>) 55 percent, riboflavin (vitamin B<sub>2</sub>) 17.5 percent, niacin 5 milligrams, and iron 40 percent. One-half pound of the article provided smaller amounts of such food substances.

**DISPOSITION:** July 24, 1953. The defendant having entered a plea of nolo contendere, the court suspended the imposition of sentence and placed the defendant on probation for 1 year.

**21002. Adulteration and misbranding of bread. U. S. v. Bon Ton, Inc., of Missoula. Plea of nolo contendere. Imposition of sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 34338. Sample No. 29910-L.)**

**INFORMATION FILED:** July 7, 1953, District of Montana, against Bon Ton, Inc., of Missoula, a corporation, at Missoula, Mont.

**ALLEGED SHIPMENT:** On or about May 12, 1952, from the State of Montana into the State of Washington.

**LABEL, IN PART:** "Bon Ton Homade Potato Bread 1½ Lbs. Enriched."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect larvae and insect fragments; and, Section 402 (a) (4), the article had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 403 (a), the label of the article was false and misleading. The label represented and suggested that ½ pound of the article would provide at least the following amounts and percentages of the minimum daily requirements of essential food substances, namely, thiamine (vitamin B<sub>1</sub>) 55 percent, riboflavin (vitamin B<sub>2</sub>) 17.5 percent, niacin 5 milligrams, and iron 40 percent. One-half pound of the article provided smaller amounts of such food substances.

**DISPOSITION:** July 24, 1953. The defendant having entered a plea of nolo contendere, the court suspended the imposition of sentence and placed the defendant on probation for 1 year.

### FLOUR

**21003. Adulteration of flour. U. S. v. 106 Bags \* \* \* (and 1 other seizure action).** (F. D. C. Nos. 36027, 36079. Sample Nos. 52116-L to 52118-L, incl.)

**LIBELS FILED:** October 20 and November 2, 1953, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about July 15, August 24, and September 1, 1953, from Chicago, Ill., and Walla Walla, Wash.

**PRODUCT:** 329 100-pound bags of flour at Brooklyn, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, insect excreta, insect webbing, and rodent excreta. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 19, 1953. The libel actions having been consolidated and Raymond F. Kilthau, New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reprocessing under the supervision of the Food and Drug Administration. The product subsequently was reprocessed for use as dog food.

**21004. Adulteration of flour. U. S. v. 58 Bags, etc.** (F. D. C. No. 36121. Sample Nos. 59488-L, 59489-L.)

**LIBEL FILED:** November 17, 1953, Eastern District of South Carolina.

**ALLEGED SHIPMENT:** On or about July 22 and September 15, 1953, from Chattanooga, Tenn.

**PRODUCT:** 58 50-pound bags and 10 100-pound bags of flour at Darlington, S. C.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 21, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as animal feed.

**21005. Adulteration of flour. U. S. v. 34 Bags, etc.** (F. D. C. No. 35960. Sample Nos. 83514-L, 83515-L.)

**LIBEL FILED:** November 6, 1953, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about June 24 and October 15, 1953, from Hastings and Wabasha, Minn.

**PRODUCT:** 94 50-pound bags of flour at Wilton, Wis., in possession of the Tillman Produce Co.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.